## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, et al.,

Plaintiffs,

v.

THOMAS C. ALEXANDER, et al.,

Defendants.

Case No. 3:21-cv-03302-JMC-TJH-RMG

## JOINT REQUEST TO EXTEND NEGOTIATION UNTIL MARCH 4, 2022 AND TO APPOINT UNITED STATES MAGISTRATE JUDGE MARY GORDON BAKER AS MEDIATOR

Plaintiffs and State House Defendants jointly ask that the Panel extend the parties' two-week settlement period until Friday, March 4, 2022 so that Plaintiffs and House Defendants can mediate part of the case with United States Magistrate Judge Mary Gordon Baker on March 1-2, 2022. In support thereof, counsel states the following:

- 1. On February 15, 2022 the Plaintiffs and State House Defendants requested a two-week pause of litigation to focus on resolving the case by settlement. The Panel granted this request. ECF 167, 170.
- 2. On February 17, 2022 the Plaintiffs and State House Defendants met virtually to discuss settlement. Although the meeting was productive, the Plaintiffs and State House Defendants agreed that enlisting the aid of a neutral mediator would improve the possibility of resolving the claims concerning the State House map.
- 3. After conferring, the Plaintiffs and State House Defendants agreed to United States Magistrate Judge Mary Gordon Baker as a neutral mediator. Counsel has contacted Judge Baker, who represented that she is willing to act as mediator, but because of her duty schedule, she is not available until March 1, 2022.

4. The Plaintiffs, State House Defendants, counsel, and Judge Baker are all available for mediation on March 1-2, 2022.

WHEREFORE, the Plaintiffs and State House Defendants jointly request that the Panel appoint United States Magistrate Judge Mary Gordon Baker as a neutral mediator in this matter and, for good cause, extend the settlement window until March 4, 2022. The Plaintiffs and State House Defendants also ask that the Panel extend the deadline for their status report until March 7, 2022.

Dated: February 18, 2022

## /s/ Mark C. Moore

William W. Wilkins (Fed. ID No. 4662)
Andrew A. Mathias (Fed. ID No. 10166)
Konstantine P. Diamaduros (Fed. ID No. 12368)
NEXSEN PRUET, LLC
104 S. Main Street, Suite 900
Greenville, SC 29601
Telephone: 864.370.2211
BWilkins@nexsenpruet.com
AMathias@nexsenpruet.com
KDiamaduros@nexsenpruet.com

Mark C. Moore (Fed. ID No. 4956)
Jennifer J. Hollingsworth (Fed. ID No. 11704)
Erica H. Wells (Fed. ID No. 13206
Hamilton B. Barber (Fed. ID No. 13306)
Michael A. Parente (Fed. ID No. 13358)
NEXSEN PRUET, LLC
1230 Main Street, Suite 700
Columbia, SC 29201
Telephone: 803.771.8900
MMoore@nexsenpruet.com
JHollingsworth@nexsenpruet.com
EWells@nexsenpruet.com
HBarber@nexsenpruet.com
MParente@nexsenpruet.com

Rhett D. Ricard (Fed. ID No. 13549) NEXSEN PRUET, LLC Respectfully submitted,

## /s/ Christopher J. Bryant

Christopher J. Bryant, Fed. ID 12538 Boroughs Bryant, LLC 1122 Lady St., Ste. 208 Columbia, SC 29201 Tel.: (843) 779-5444 chris@boroughsbryant.com

Allen Chaney, Fed. ID 13181 American Civil Liberties Union of South Carolina Charleston, SC 29413-0998 Tel.: (843) 282-7953 Fax: (843) 720-1428

achaney@aclusc.org

Somil B. Trivedi\*\*
Patricia Yan\*\*
American Civil Liberties Union Foundation
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org
pyan@aclu.org

Leah C. Aden\*\*
Stuart Naifeh\*\*
Raymond Audain\*\*
John S. Cusick\*\*
NAACP Legal Defense & Educational Fund, Inc.
40 Rector St, 5th Fl.

205 King Street, Suite 400 Charleston, SC 29401 Telephone: 843.720.1707 RRicard@nexsenpruet.com

Attorneys for James H. Lucas, Chris Murphy, and Wallace H. Jordan

NY, NY 10006 Tel.: (212) 965-7715 laden@naacpldf.org

Antonio L. Ingram II\* NAACP Legal Defense & Educational Fund, Inc. 700 14th St, Ste. 600 Washington, D.C. 20005 Tel.: (202) 682-1300 aingram@naacpldf.org

Samantha Osaki\*\* Adriel I. Cepeda Derieux \*\* Sophia Lin Lakin \* American Civil Liberties Union Foundation 125 Broad Street, 18th Floor New York, NY 10004 Tel.: (212) 549-2500 sosaki@aclu.org

John A. Freedman\*\* Elisabeth S. Theodore\* Gina M. Colarusso\*\* John "Jay" B. Swanson\* John M. Hindley\*\* ARNOLD & PORTER KAYE SCHOLER LLP 601 Massachusetts Ave., N.W. Washington, D.C. 20001 Tel: (202) 942-5000

Jeffrey A. Fuisz\*\* Paula Ramer\*\* Jonathan I. Levine\* Theresa M. House\* ARNOLD & PORTER KAYE SCHOLER LLP 250 West 55th Street New York, NY 10019 Tel: (212) 836-8000

Sarah Gryll\*\* ARNOLD & PORTER KAYE SCHOLER LLP 70 West Madison Street, Suite 4200 Chicago, IL 60602-4231 Tel: (312) 583-2300

Janette M. Louard\*

Anthony P. Ashton\*
Anna Kathryn Barnes\*
NAACP OFFICE OF THE GENERAL
COUNSEL
4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org
aashton@naacpnet.org
abarnes@naacpnet.org

Attorneys for Plaintiffs

<sup>\*</sup> Motion for admission *Pro Hac Vice* forthcoming

<sup>\*\*</sup> Admitted *Pro Hac Vice*